

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7160 of 2021

SUJITHKUMAR

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR DISTRICT.
CR.NO.215 OF 2021

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR.T.SHUNMUGA RAJESWARAN,
Government Advocate (crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294 (b), 324, 341 and 506(ii) I.P.C., read with Section 3(1) of TNPPDL Act, in Crime No.215 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity a wordy quarrel arose between the petitioner and the defacto complainant, following which, the petitioner abused the defacto complainant with filthy language and attacked him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent / complainant would submit that the injured has been discharged from the hospital. However, he oppose for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thiruvallur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter shall report before the respondent police on every Monday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

17/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges
SR.No.4933

cs 22/04/2021

CRL OP.7160/2021

Date :17/04/2021



WEB COPY